

Application No. 10/620,489
Docket No. 15436.441.5
Reply to Office Action mailed March 17, 2005

AMENDMENTS TO THE DRAWINGS

Please replace Figure 1 of the drawings with the attached Figure 1 and Figure 1A 'Replacement Sheet.' A redline markup is also enclosed that denotes the changes made to Figure 1. No new matter is believed to be introduced in the aforementioned Figure 1 and Figure 1A 'Replacement Sheet.'

REMARKS

These Remarks are presented in response to the Office Action. By this paper, claims 2, 4-5, 13-14, 16-17, and 19-38 are canceled, claims 1, 3, 6, 8-11, 15 and 18 are amended, and new claims 39-51 are added. Claims 1, 3, 6-12, 15, 18 and 39-51 are now pending in this application as a result of the aforementioned cancellations and new claims.

Reconsideration of this application is respectfully requested in view of the aforementioned amendments and the following remarks. For the convenience and reference of the Examiner, the remarks of the Applicants are presented in the order in which the corresponding issues were raised in the Office Action.

I. Objection to the Drawings

The Examiner has objected to the drawings under 37 CFR 1.83(a) stating that the drawings “fail to show ‘the fiber tip’ that is ‘extending out from the optical fiber ferrule’ as claimed in claims 25-26.”

In this regard, M.P.E.P. § 608.01(I) states, “In establishing a disclosure, applicant may rely not only on the description and drawing as filed but also on the original claims if their content justifies it.” (emphasis added). In this case, original claims 25 and 26 as filed each recite “the fiber tip is a portion of an optical fiber extending out from the optical fiber ferrule.” Consistent with the foregoing, Applicants have herein amended the figures by adding Figure 1A showing a fiber tip extending out from the optical fiber ferrule. Applicants have also herein amended the paragraph beginning on line 21 of page 10 and ending on line 21 of page 11 of the specification to recite that “end 19 of optical fiber 11 may be configured like end 19' of optical fiber 11' extending out from ferrule 20', as shown in Figure 1A.”

In light of the amendments to the specification herein, Applicants respectfully submit that the objection should be withdrawn. Applicants further submit that, consistent with M.P.E.P. § 608.01(I), no new matter is entered as a result of the aforementioned amendments to the figures and the specification.

II. Objection to Claim 8

The Examiner has objected to claim 8 stating that the word “and” should be changed to the word “an.” In light of the amendment to claim 8 herein, Applicants respectfully submit that the objection should be withdrawn.

III. General Considerations

In connection with the matters contemplated herein, Applicant respectfully notes that the following discussion should not be construed to constitute an exhaustive enumeration of the distinctions between the claims of the present application and the references cited by the Examiner. Instead, such distinctions are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose contemporaneous or future consideration, by the Applicant, of additional or alternative distinctions between the claims of the present application and the references cited by the Examiner, and/or the merits of additional or alternative arguments.

Moreover, Applicant notes that the remarks and amendments presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited references. Such remarks, or a lack of remarks, and amendments are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner in this case. Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

In addition, the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed herein are presented solely by way of example.

IV. Claim Rejections Under 35 U.S.C. § 102(b)

Applicants respectfully note that a claim is anticipated under 35 U.S.C. § 102(b) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim. Finally, the elements must be arranged as required by the claim. *See Manual of Patent Examining Procedure ("M.P.E.P.") § 2131.*

The Examiner has rejected claims 1-24 and 27-37 as anticipated by US 6,283,644 B1 to Gilliland et al. ("*Gilliland*"). Inasmuch as claims 2, 4-5, 13-14, 16-17, 19-24 and 27-38 are canceled by this paper, the rejection of those claims has been rendered moot and should be withdrawn. As to claims 1-24,

Applicants disagree with the contentions of the Examiner and submit that, for at least the reasons outlined below, the rejection of those claims should be withdrawn.

a. claim 1

The Examiner has characterized *Gilliland* as teaching a sleeve 1000 that “expands with flex-like resistance upon an insertion of the optical fiber ferrule and holds the ferrule in position relative to the barrel (the outside diameter of the ferrule is slightly greater than the inside diameter of the split sleeve, so as to provide flex-like resistance: column 21 lines 11-18).” However, with regard to Figures 16 and 17 which illustrate the “sleeve 1000” referred to by the Examiner, *Gilliland* elaborates that:

The ferrule (not shown) is then inserted into both the split sleeve 1000 and the ferrule receiving bore 1106. The outside diameter of the ferrule is greater than the inside diameter IDR of the split sleeve 1000 in the relaxed state, thus the outside diameter of the split sleeve 1000 is expanded so that it approaches the inside diameter IDH of the ferrule receiving bore 1106 ... In the expanded state, the split sleeve 1000 has an inside diameter IDE which is substantially the same as the outside diameter of the ferrule or ferrule-shaped tool, thus ensuring accurate alignment between the ferrule and the optics cavity 1108.

Col. 21, lines 11-29 (emphasis added). Referring to Figure 18, *Gilliland* discloses further that, “The solder paste material is allowed to enter portions of the split 1002 so as to help keep the split sleeve 1000 in the expanded state.” Col. 22, lines 52-54 (emphasis added). Likewise, *Gilliland* states with regard to Figure 19 that “Other portions of the solder film bonded to the ferrule receiving bore 1106 and occupying the gap in the expanded split sleeve attaching the split sleeve 1000 to the ferrule receiving bore 1106 ... help keep the split sleeve 1000 in the expanded state.” It would thus appear that *Gilliland* discloses an arrangement where the “split sleeve 1000” remains in an expanded state, i.e., a state where “the split sleeve 1000 has an inside diameter IDE which is substantially the same as the outside diameter of the ferrule,” upon withdrawal of the ferrule. Col. 21, lines 11-29. Emphasis added.

In contrast, claim 1 has been amended to recite, among other things, “a sleeve situated in and attached to said housing, the sleeve having a changeable inside diameter; and a ferrule removably positioned within said sleeve, a relation between the sleeve and the ferrule being such that when the ferrule is positioned within the sleeve, the sleeve has a first inside diameter, and after the ferrule is removed from the sleeve, the sleeve has a second inside diameter that is less than the first inside diameter.” Emphasis added.

Inasmuch as the Examiner has not established that *Gilliland*, or any other reference, teaches or suggests the arrangement recited in amended claim 1, Applicant submits that the rejection of claim 1, as well as the rejection of corresponding dependent claims 3 and 6-8, should be withdrawn.

b. claim 9

Similar to claim 1, claim 9 has been amended herein to recite, among other things, “an optical coupling system comprising ... a holding structure [having] a changeable inside diameter and ... configured to removably receive an optical medium holder having an outside diameter, the inside diameter being substantially the same as the outside diameter when the optical medium holder is received in the holding structure, and the inside diameter being less than the outside diameter after the optical medium holder is removed from the holding structure.”

Applicant notes that the reasons outlined above in connection with the discussion of claim 1 are germane as well to claim 9 and, accordingly, Applicant respectfully directs the attention of the Examiner to such discussion. In view of the foregoing, Applicant submits that the rejection of claim 9, as well as the rejection of corresponding dependent claims 10-12, 15 and 18, should be withdrawn.

V. Claim Rejections Under 35 U.S.C. § 103(a)

Applicants respectfully note at the outset that in order to establish a *prima facie* case of obviousness, it is the burden of the Examiner to demonstrate that three criteria are met: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; second, there must be a reasonable expectation of success; and third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See M.P.E.P. § 2143.

The Examiner has rejected claim 38 under 35 U.S.C. § 103(a) as being unpatentable over *Gilliland*. The Examiner has also rejected claims 25-26 under 35 U.S.C. § 103(a) as being unpatentable over *Gilliland* in view of US 2002/0150356 A1 to Hashimoto et al (“*Hashimoto*”).

Applicant respectfully disagrees with the contentions of the Examiner but submits that inasmuch as claims 25-26 and 38 have been canceled by this paper, the rejection of those claims has thus been rendered moot and should accordingly be withdrawn.

IV. New Claims 39-51

By this paper, new claims 39-51 have been added. Claims 39 and 40 depend from claim 1, believed to be in allowable condition, and, accordingly, claims 39 and 40 are likewise believed to be in allowable condition. Similarly, new claims 41 and 42 depend from claim 9, also believed to be in allowable condition. Thus, claims 41 and 42 are likewise believed to be in allowable condition.

Further, new independent claim 43, and corresponding dependent claims 44-51, are added by this paper. Claim 43 requires, among other things, a “means for holding the ferrule, where the means for holding the ferrule removably retains the ferrule in position relative to a portion of the housing by way of spring tension.” Emphasis added. Support for this limitation can be found at claim 28 as initially filed, and in the specification at: page 3, lines 12-18; page 4, lines 3-8; and, page 8, lines 16-22. Inasmuch as the Examiner has not established that the aforementioned limitation, in combination with the other limitations of claim 43, is taught or suggested by the cited references, either alone or in combination with each other, Applicant respectfully submits that claims 43-51 are likewise in allowable condition.

Finally, and with respect to claims 43-51, Applicant respectfully submits that, consistent with the discussion presented herein, new claims 43-51, each of which is directed to a combination that includes, among other things, “means for holding the ferrule, where the means for holding the ferrule removably retains the ferrule in position relative to a portion of the housing by way of spring tension,” are patentably distinct from the devices purported by the Examiner to be disclosed in the references that the Examiner has cited. In this connection, Applicant respectfully notes that reference to the aforementioned exemplary limitation is not intended, nor should it be construed, to be either an admission or assertion by the Applicant that patentability of Applicant’s new claims, or any other claims, hinges on the presence of such limitation. Rather, Applicant submits that each of the now pending claims, considered in its respective entirety, patentably distinguishes over the reference cited by the Examiner.

VI. Docket Number

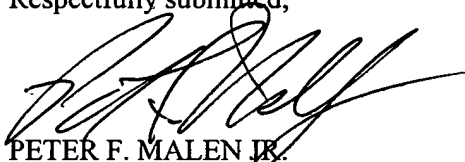
Please note that our docket number for this Application is 15436.441.5, not 15436.114.5. Applicants respectfully request that the records of the USPTO be updated accordingly.

CONCLUSION

In view of the remarks submitted herein, Applicants respectfully submit that each of the pending claims 1, 3, 6-12, 15, 18 and 39-51 is now in condition for immediate allowance. Therefore, reconsideration of the objections and rejections is requested and allowance of these claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 13TH day of September, 2005.

Respectfully submitted,



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